

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-04 INR-11 NSAE-00 RSC-01 CG-00 COA-02 DLOS-07

SWF-02 IO-14 AF-10 ARA-16 EA-11 NEA-14 OIC-04 PM-07

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TAGS:IMCO

SUBJ: MEETING OF IMCO PANEL OF EXPERTS (POE) ON MARITIME
SATELLITES, LONDON, SEPTEMBER 2-6, 1974.

1. SUMMARY. POE SIXTH AND FINAL MEETING CONCLUDED
SEPT. 6 WITH ADOPTION OF REPORT TO MARITIME SAFETY
COMMITTEE INCLUDING FINAL REPORT TO GOVERNMENTS WHICH
WILL SERVE AS THE BASIC DOCUMENT FOR CONSIDERATION BY
INTERNATIONAL CONFERENCE ON THE ESTABLISHMENT OF AN
INTERNATIONAL MARITIME SATELLITE SYSTEM, APRIL 1975.
U.S. DELEGATION ENTERED RESERVATION ON BOTH REPORTS.
THE RESERVATION REPORTED PARA 8 BELOW. THERE WAS
LITTLE OR NO SUPPORT FOR US POSITIONS CONCERNING
PROCUREMENT, NON-COMMITMENT OF GOVERNMENT ON FINANCIAL
OBLIGATION INVOLVING DESIGNATION OF PROVIATE ENTITY TO
UNDERTAKE FINANCIAL AND OPERATIONAL RESPOBSIBILITIES,
INVESTMENT PARTICIPATION AND DECISION MAKING PROPORTION-
ATE TO USE, AND SPECIFIC PROPOSALS CONCERNING NON-
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DISCRIMINATORY ACCESS. IN MOST CASES US PROPOSALS ARE

CONTAINED IN REPORT AS ALTERNATIVE OR BRACKETED LANGUAGE.
END SUMMARY.

2. SIXTH MEETING OF IMCO PANEL OF EXPORTS ON MARITIME SATELLITES HELD SEP. 2-6 LONDON. PANEL EXAMINED PROVISIONAL REPORT TO GOVERNMENTS PREPARED AT PREVIOUS MEETING AND COMMENTS WHICH HAD BEEN SUBMITTED IN INTERIM. REPORT WILL BE SENT TO MARITIME SAFETY COMMITTEE FOR APPROVAL AND FORWARDING TO GOVERNMENTS PRIOR TO CONVENING CONFERENCE OF GOVERNMENTS IN APRIL 1975 TO CONSIDER ESTABLISHMENT OF GLOBAL MARITIME SATELLITE SYSTEM

3. REPORT INCLUDES EXAMINATION OF THE OPERATIONAL REQUIREMENTS OF SUCH A SYSTEM AND ITS BASIC TECHNICAL PARAMETERS; AN ECONOMIC ASSESSMENT OF THE SYSTEM; AND PROPOSE ORGANIZATIONAL AND INSTITUTIONAL ARRANGEMENTS FOR A NEW INTERNATIONAL ORGANIZATION TO PROVIDE A MARITIME SATELLITE CAPABILITY.

4. TEXT DEALING WITH OPERATIONAL REQUIRMENTS AND TECHNICAL PARAMETERS GENERALLY SATISFACTORY TO US ALTHOUGH MORE ADEQUATE ATTENTION SHOULD HAVE BEEN GIVEN TO THE RELIABILITY OF SHIPS TERMINAL EQUIPMENT.

5. ECONOMIC ASSESSMENT MEASURABLY IMPROVED BY PANEL BUT COST/BENEFIT STUDY HAS NOT BEEN DONE AND ITS ABSENCE SERIOUSLY DETRACTS FROM COMPLETENESS OF REPORT.

6. MOST SERIOUS PROBLEM ARISES WITH RESPECT TO SECTION DEALING WITH ORGANIZATIONAL AND INSTITUTIONAL ARRANGEMENTS TO WHICH IS APPENDED A DRAFT CONVENTION ON AN INTERNATIONAL ORGANIZATION FOR A MARITIME SATELLITE SYSTEM KNOWN AS INMARSAT. US REITERATED PROPOSALS CONTAINED IN US STATEMENT OF PRINCIPLES SUBMITTED PRIOR TO THIS PANEL SESSION.

7. DECISIONS TAKEN ON ITEMS OF PARTICULAR IMPORTANCE TO US IN DRAFT CONVENTION INCLUDE:

(A) STATUS OF DESIGNATED ENTITY:
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LANGUAGE WAS ADOPTED WHICH WOULD NOT PERMIT FULL PARTICIPATION AND ASSUMPTION OF FULL RESPONSIBILITY BY DESIGNATED ENTITY.

(B) PRINCIPLE OF NON-DISCRIMINATION: POE FAVORED RETENTION OF AMBIGUOUS LANGUAGE CONCERNING DISCRIMINATION. US PROPOSAL WHICH WOULD INSURE NON-DISCRIMINATORY ACCESS TO ALL POTENTIAL USERS, WHETHER MEMBERS OF THE ORGANIZA-

TION OR NOT, REJECTED BY THE PANEL.

(C) ASSEMBLY-COUNCIL RELATIONSHIP: POE APPROVED LANGUAGE WHEREBY ASSEMBLY REMAINS "SUPREME ORGAN OF ORGANIZATION" AND REJECTED US EFFORTS TO ENHANCE ROLE OF COUNCIL (WHICH WOULD TAKE DECISIONS ON BASIS OF WEIGHTED VOTING) AND WEAKEN THAT OF ASSEMBLY (WHICH OPERATES ON BASIS OF ONE NATION ONE VOTE).

(D) COUNCIL VOTING LIMITATION: US UNABLE TO OBTAIN DELETION OF CONCEPT OF CEILING ON TOTAL WEIGHTED VOTING SHARE OF ANY ONE MEMBER. PROPOSED TWENTY PER CENT CEILING REMAINS IN BRACKETS IN DOCUMENT.

(E) INVESTMENT SHARES: ALTHOUGH MAJORITY CONTINUED TO FAVOR UNITED KINGDOM PROPOSAL INCLUDING FORMULA INVOLVING COUNTRY OF REGISTRY OF SHIPS UTILIZING SYSTEM TO DETERMINE INVESTMENT FORMULA. US PROPOSAL INVOLVING ONLY VOLUME OF CALLS ORIGINATING AND TERMINATING ON LAND TERRITORY OF MEMBER WAS INCLUDED IN DOCUMENT AS ALTERNATIVE.

(F) UTILIZATION CHARGES: US PROPOSAL CONTAINED IN FINAL DOCUMENT AS ALTERNATIVE.

(G) PROCUREMENT POLICY: US PROPOSAL RECEIVED VIRTUALLY NO SUPPORT BUT WAS RETAINED IN DOCUMENT AS AN ALTERNATIVE.

(H) INVENTIONS AND TECHNICAL INFORMATION: US PROPOSAL, PRESENTED AT AD HOC EXPERTS MEETING, AUG. 28-30, WAS NOT SUPPORTED, BUT WAS INCLUDED IN REPORT OF EXPERTS TO PLENARY AS ALTERNATIVE TO UNITED KINGDOM LIMITED OFFICIAL USE

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PROPOSAL. PLENARY AGREED TO INCLUDE BOTH ALTERNATIVES IN FINAL DOCUMENT.

(I) PRIVILEGES AND IMMUNITIES: AD HOC EXPERTS GROUP WHICH MET AUG. 28-30 PREPARED REPORT RECOMMENDING BRIEF ARTICLE IN BODY OF DRAFT CONVENTION SPECIFYING P&IS WOULD BE SET FORTH IN ATTACHED PROTOCOL WHICH WOULD FORM INTEGRAL PART OF CONVENTION. DRAFT PROTOCOL SUBMITTED TO PLENARY BY EXPERTS GROUP GENERALLY BASED ON EUROPEAN SPACE AGENCY (ESA) P&I, BUT DISAGREEMENT IN INDIVIDUAL ARTICLES WAS SO WIDESPREAD THAT IT WAS UNDERSTOOD THAT DRAFT WOULD MERELY SERVE AS BASIS FOR FURTHER NEGOTIATION AT DIPLOMATIC CONFERENCE. DURING NEGOTIATION USSR SOUGHT ISOLATION OF P&I IN SEPARATE INSTRUMENT AS ADDED PROTOCOL. FAILING IN DRAFTING GROUP, USSR MADE CONCERTED EFFORT IN PLENARY TO ISOLATE P&I

PROVISIONS IN SEPARATE INSTRUMENT. LIMITED SUPPORT
RESULTED IN PRESERVATION OF USSR POSITION AS OPTION IN
REPORT. PLENARY ADOPTED TEXT AS PRESENTED.

(J) ENTRY INTO FORCE: US WAS SUCCESSFUL IN INSERTING
CLAUSE WHEREBY CONVENTION WILL NOT ENTER INTO FORCE
UNLESS RATIFIED WITHIN SPECIFIC TIME (TO BE DECIDED BY
CONFERENCE); THIS TRACKS INTELSAT AGREEMENT.

8. TEXT OF US RESERVATION FOLLOWS:

THE UNITED STATES OF AMERICA EXPRESSED THE VIEW THAT
ESTABLISHMENT OF A NEW INTERNATIONAL ORGANIZATION WAS
LIKELY TO POSE PROBLEMS AND RESULT IN LENGTHY NEGOTIATIONS
LEADING TO SERIOUS DELAYS IN PROVIDING A MARITIME SATELL-
ITE CAPABILITY. WHILE AGREEING THAT CONSIDERABLE WORK
WAS PERFORMED BY THE IMCO PANEL OF EXPERTS, THE UNITED
STATES STILL BELIEVED THAT SUFFICIENT ANALYSES OF ALL
POSSIBLE ALTERNATIVE INSTITUTIONAL ARRANGEMENTS, AS WELL
AS OF THE CLOSELY RELATED ECONOMIC AND TECHNICAL FACTORS,
HAD NOT BEEN MADE.

THE UNITED STATES CONSIDERED FURTHER THAT EVEN IF
SUFFICIENT STUDY AND PREPARATORY WORK WERE TO VERIFY THE
NEED FOR A NEW INTERNATIONAL ORGANIZATION TO PROVIDE
A MARITIME SATELLITE CAPABILITY, THE UNITED STATES WOULD
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STILL HAVE CONCERNS WITH A NUMBER OF FUNAMENTAL ASPECTS
OF THE PANEL'S WORK, INCLUDING INADEQUACIES AND INCON-
SISTENCIES IN THE PROPOSED DRAFT AGREEMENT, THE LIMITED
NATURE OF ECONOMIC ANALYSIS COMPLETED, WHICH DID NOT
INCLUDE A SYSTEM COST BENEFIT ANALYSIS, AND CERTAIN
SHORTCOMINGS IN STUDY OF THE OPERATIONAL ASPECTS OF
SYSTEM PERFORMANCE SUCH AS THE IMPORTANT AREA OF SHIP
TERMINAL EQUIPMENT RELIABILITY.

THUS, UNDER THE CIRCUMSTANCES, THE UNITED STATES
RESERVED ITS POSITION WITH RESPECT TO THE ENTIRE REPORT.

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